



TOWNSHIP OF CHATHAM

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Chatham Township
Environmental Commission
... Act Locally!

CTEC Development Application Review

Memo to Planning Board

April 5, 2014

GUNN APPLICATION

88 Longview Avenue, Block 9, Lot 1, R-3 zone (1/2 acre residential)

Application to Planning Board to subdivide lot into 2 new lots and build a new house on each. Variances needed include reduction in Usable Lot Area. Issues include steep slopes and stormwater management.

Reviewed by D. Stillinger, M. Kelly

EXISTING FEATURES

- Lot is 1.3 acres in size with a very steep slope along the road.
- In the eastern portion of the lot there is loamy soil to a depth of at least 11 feet. Soil type is Ellington fine sandy loam on 8-25 percent slopes according to NRCS soil data at <http://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx>. Slope/erodibility rating on the steep slopes is 0.50 where 1 indicates most severe erosion and 0 indicates none. In the western portion of the lot where there are no slopes the soil type is Holyoke-Rock outcrop complex with little erosion potential.
- Steep slopes rise along 240 feet of the eastern roadway and along the entire 150 feet of the south property line.
- There is a drop of between 30 and 65 feet from the area of the easternmost proposed house to the roadway. The slopes exceed 50% in places.
- Steep slopes comprise about a third of the existing lot.
- The steep slopes extend downward to the adjoining lots on the south, with potential for stormwater damage to those lots.
- The west property line of the existing lot adjoins preserved conservation land in Long Hill Township.
- Existing vegetation includes at least a dozen tulip popular trees of diameter over 8 inches, white and red oak, American beech, Japanese barberry.



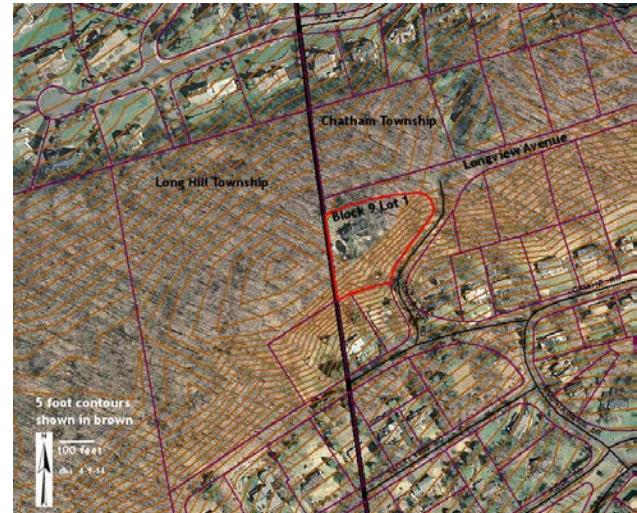
CONSERVATION EASEMENT REQUESTED

- The Environmental Commission urges the Planning Board to require a conservation easement on the steep slopes including a flat buffer zone above the slopes of at least 15 feet.
 - There should be a conservation easement recorded with the Morris County clerk and accepted by Chatham Township on the steep slopes before any work begins.
 - Steep slopes have a history in the Township of being disregarded by developers and contractors. Stronger protections under discussion for conservation easements may mitigate problems in the future.
 - During construction orange snow fencing should be maintained along the boundary of the proposed conservation easement. After construction a split rail fence or similar attractive fence should be installed and maintained along the boundary of the conservation easement.

SUGGESTIONS

- If the sizes of the proposed houses were reduced the useable lot area could be increased with less need for a variance. The proposed reduction in useable lot area is greater than 10% of required. When a 10% or less difference from a required condition is requested boards tend to grant the variance. Over 10% needs more explanation. A better solution would be to allow only one house instead of two. A similar situation on Longwood Avenue was resolved by only allowing one house.
- A new Environmental Impact Statement should be prepared and not waived. The EIS that was done for the Fenix developer a number of years ago should not be accepted for this application. Things could have changed.

In particular, the ridge could have become habitat for Indiana bat, a federally protected species.



Some specific items to include in a revised EIS are

- a list of protected species for which the ridge could be habitat. It is recommended that the Township require the applicant to directly contact the USFWS concerning the presence of Indiana bat. The site may provide roosting habitat.
 - much more detailed list of plant species specifically on the slopes. The vegetation currently there is doing a good job of preventing erosion.
 - possible discussion of habitat and species on the adjacent preserved land in Long Hill Township. Land adjacent to preserved land acts as an extension area ("corridor") for species.
 - **location of natural drainage swales.** They should be preserved if they drain away from the southern slopes.
 - discussion of historic pesticides and herbicides used on the site
 - impact of increased impervious cover (the statement "minor increase" is not good enough)
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- A soil plan should be provided. Soil removed during construction should be stockpiled with the topsoil preserved and reapplied last.
 - A landscape plan should be provided. Trees to be removed should be noted - number, species. Revegetation should be done with native species. No pear trees, Norway maple, Norway spruce, arborvitae, burning bush, barberry. The list of plants to be installed should be reviewed by a botanist.
 - Stormwater impact of tree removal should be taken into account. Removal of trees and natural vegetation will increase potential for erosion, lessen water take-up by trees, and lessen infiltration of stormwater as compaction of soil occurs.
 - Consider requiring a bioretention basin ("rain garden") on each new lot. Bioretention basins are often small (15' x 15') but still effective at controlling stormwater and pollution.

Thank you for reading this memo.

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